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EXAMINER

PARTHASARATHY, PRAMILA

ART UNIT PAPER NUMBER

2136

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,957

Applicant(s)

NAIR, MARK

Examiner

Pramila Parthasarathy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 and 43-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-41 and 43-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***DETAILED ACTION***

1. This action is in response to remarks and amendments filed on February 04, 2005. Claims 4, 11, 37, 39 and 43 were amended and Claims 42 and 47 were cancelled. No new claims were added. Claims 1 – 41 and 43 - 47 are pending.

***Response to Arguments***

2. Applicant's arguments filed on February 04, 2005, have been fully considered but they are not persuasive for the following reasons:

3. Remarks contain an error with respect to Claim numbers that are discussed. For example, with respect to Claim 47, the remarks disclose Claim 47 as 478. Examiner reads that as Claim 47 as independent.

4. Regarding independent Claims 1, 16 and 28, applicant argued that the cited prior art Kocher et al. (U.S. Patent Number 6,289,455) does not disclose "only analog signal output". This argument is not persuasive.

Kocher discloses "only analog signal output" (Column 8 lines 1 – 28 and Column 9 lines 17 – 59), wherein Kocher teaches that the digital content is encrypted and a playback device receives digital content (such as audio tracks) which uses

cryptographic unit to decrypt the encrypted digital content that could be analog representation of a digital media files (sound).

Furthermore, Kocher discloses the decrypted content could be an analog representation of a sound and output device could be an amplifier and speaker (Column 9 lines 49 – 55).

5. Regarding amended independent Claims 37 and 43, applicant argued that the cited prior art Kocher et al. (U.S. Patent Number 6,289,455) does not disclose “at least one or two encrypting keys”, “one such key is based upon the specific device that will receive a protected file” and “another such key relates to an identification associated with the user”. These arguments are not persuasive.

Kocher discloses “at least one or two encrypting keys”, (Column 10 lines 36 – 9), wherein Kocher teaches that the protected memory containing device key, post-payment authorization key and several rights keys, “one such key is based upon the specific device that will receive a protected file and another such key relates to an identification associated with the user” (Column 7 line 61 – Column 8 line 64 and Column 10 line 50 – Column 11 line 65), wherein Kocher teaches that the device key is preferably specific to a particular device and uses post-payment authorization key that is user specific .

6. The Applicant stated that Dwek fails to disclose or suggest sole analog outputs, encryption keys based upon a device and a user. The Examiner did not use Dwek to

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reject these claims. Dwek has been applied, for example, to the limitations of “a portable unit” and “player unit further comprises browsing means for browsing digital media files on said network”.

7. Therefore, the examiner respectfully asserts that the cited prior art does teach or suggest the subject matter “only analog signal output”, and “at least one or two encrypting keys, one such key is based upon the specific device that will receive a protected file and another such key relates to an identification associated with the user”, broadly recited in the independent claims 1, 16, 28, 37 and 43. The dependent claims 2 – 15, 17 – 27, 29 – 36, 38 – 41 and 44 – 47 are rejected at least by virtue of their dependency on the dependent claims and by other reason set forth in this office action. Accordingly, the rejection for the pending claims 1 – 41 and 43 - 47 is respectfully maintained.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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8. Claims 1 – 4, 7, 9 – 16, 19, 21 – 23, 28 – 30, 32, 34 – 38, 40 – 44, 47 and 48 are rejected under 35 U.S.C. 102(e) as being anticipated by Kocher et al. (Patent Number 6,289,455).

Regarding Claim 1, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), said system comprising:

a player unit having memory therein for storing a plurality of digital media files thereon, said player unit only outputs analog representations of said digital media files stored in said memory (Fig. 2; Column 8 lines 1 – 28; and Column 9 lines 17 – 59 ); and

a modem for connecting said player unit to a network and for downloading said digital media files to said player unit (Column 9 line 60 – Column 10 line 2).

Regarding Claim 16, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), said player unit comprising:

a storage unit for storing downloaded digital media files (Fig.2 and Column 9 line 17 - 59);

a media processing element for generating only analog versions of selected media files of the stored digital media files and outputting only said analog versions (Fig.2 and Column 9 line 42 – 59); and

a card reader for retrieving an electronic value from a card inserted in said card reader, said electronic value being used to generate said analog versions of said digital media files (Column 21 line 1 – Column 22 line 5).

Regarding Claim 28, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), said method comprising the steps of:

selecting an encrypted digital media file from a plurality of encrypted digital media files (Fig. 2; Column 8 lines 1 – 6; Column 22 lines 27 – 55);

retrieving a decrypting key (Fig. 2; Column 22 lines 35 – 65);

decrypting the selected encrypted digital media file based upon the retrieved decrypting key (Column 21 line 1 – Column 22 line 65); and

generating only an analog audio signal from the decrypted digital media file.(Column 9 lines 42 – 60).

Regarding Claim 37, Kocher teaches and describes a method for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), said method comprising the steps of:

receiving from a user two encrypting keys (Fig. 3 – 5; Column 11 line 33 - Column 13 line 25);

encrypting digital media files based on said two encryption keys (Column 11 line 33 – Column 13 line 25); and

transmitting to said user the encrypted digital media files (Column 11 line 33 – Column 13 line 25),

wherein a first of said encryption keys is associated with said user and a second of said encryption keys is associated with a user device to which said encrypted digital media file is transmitted (Column 2 lines 44 – 50; Column 10 lines 36 – 45 and Column 16 line 36 – Column 17 line 20).

Regarding Claim 43, Kocher teaches and describes a system for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), said system comprising:

a receiver for receiving from a user at least one encryption key (Fig. 3 – 7 and Column 10 line 5 – Column 13 line 25)

an encrypter for encrypting a digital media file based on said at least one encryption key (Column 10 line 5 – Column 13 line 25); and

a transmitter for transmitting to said user the encrypted digital media file (Column 10 line 5 – Column 13 line 25),

wherein a first of said at least one encryption key is associated with said user and a second of said at least one encryption key is associated with a user device to which said encrypted digital media file is transmitted (Column 2 lines 44 – 50; Column 10 lines 36 – 45 and Column 16 line 36 – Column 17 line 20).



Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said player unit further comprises a card reader unit, said player unit is adapted to retrieve an electronic value from a card inserted in said card reader unit, said electronic value being used to generate said analog representations of said digital media files (Column 9 lines 42 – 59 and Column 21 line 1 – Column 22 line 5).

Claim 3 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein all of said digital media files stored in said memory are encrypted (Column 9 lines 17 – 41 and Column 22 lines 26 – 34).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said player unit further comprises selecting means for selecting one of said digital media files from a site within said network (Column 9 lines 8 – 22 and Column 19 lines 21 – 30).

Claim 9 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), a stereo component connected to said player unit for playing said digital media files (Column 8 lines 22 – 28 and Column 9 lines 42 – 55)

Claim 10 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising

a transmitter for selectively transmitting said analog representations of said digital media files over a wireless channel (Column 9 line 60 – Column 10 line 2 and Column 31 lines 25 – 64).

Claim 11 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising headphones being connected to said player unit for receiving and playing said analog audio representations of said digital media files (Column 9 lines 42 – 59 and Column 21 line 1 – Column 22 line 5).

Claim 12 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said player unit comprises:

a digital video interface for capturing digital video images (Column 8 lines 22 – 28 and Column 9 lines 42 – 60).

Claim 13 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said digital video interface connecting a digital camera and said player unit is an IEEE-1394 connector interface (Column 9 lines 7 – 41).

Claim 14 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said modem is an Ethernet card for providing/establishing a broadband connection with said network (Column 9 lines 7 – Column 10 line 2).

Claim 15 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein

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said digital media files are encoded according to an MP3 format (Column 9 line 42 – Column 10 line 2).

Claim 19 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising an interface for interfacing said player unit with a digital camera and receiving digital video signals therefrom (Column 9 lines 42 – 59).

Claim 21 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising a modem for downloading digital media files from a network (Column 9 lines 7 – Column 10 line 2).

Claim 22 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising a remote transceiver for transceiving optical signals between said player unit and a remote control, said optical signals controlling said player unit (Column 9 lines 7 – 59).

Claim 23 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising a liquid crystal display (LCD) screen for visually displaying an operation performed by said player unit (Column 9 lines 7 – 59).

Claim 29 is rejected as applied above in rejecting claim 28. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said step of decrypting comprises at least two separate decryption operations, one of said decryption operations being based on said retrieved decryption key (Column 22 line 26 – Column 23 line 24).

Claim 32 is rejected as applied above in rejecting claim 28. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising, prior to said step of selecting, the steps of:

downloading at least one of said encrypted digital media files; and  
storing said at least one of said encrypted digital media files. (Fig. 2 and Column 9 line 17 - 59);

Claim 34 is rejected as applied above in rejecting claim 28. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising the step of:

transmitting said analog audio signal over an air interface (Column 9 line 60 – Column 10 line 2 and Column 31 lines 25 – 64).

Claim 35 is rejected as applied above in rejecting claim 28. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein each said encrypted digital media file is in an MP3 encoded format (Column 9 line 42 – Column 10 line 2).

Claim 36 is rejected as applied above in rejecting claim 28. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising the step of:

decoding said digital media file (Column 9 lines 17 – 59).

Claim 30 is rejected as applied above in rejecting claim 29. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column

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25 line 4), wherein said step of decrypting comprises a second decryption operation based on an identification key corresponding to said player unit (Column 17 line 21 – Column 18 line 26).

Claim 38 is rejected as applied above in rejecting claim 37. Furthermore, Kocher teaches and describes a method for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said receiving step further comprises the steps of:

receiving identification of said digital media files (Column 17 line 21 – Column 18 line 26).

Claim 40 is rejected as applied above in rejecting claim 37. Furthermore, Kocher teaches and describes a method for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising, prior to said step of transmitting, the steps of:

encoding said digital media files (Column 5 line 55 – Column 6 line 3); and  
compressing said digital media files (Column 8 line 66 – Column 9 line 59).

Claim 41 is rejected as applied above in rejecting claim 37. Furthermore, Kocher teaches and describes a method for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said step of encrypting comprises:

performing a first encryption operation on said digital media files based upon a first of said encryption keys (Column 8 line 66 – Column 9 line 59; Column 13 lines 11 – 63 and Column 22 line 27 – Column 23 line 24); and

performing a second encryption operation on said digital media files based upon a second of said encryption keys (Column 8 line 66 – Column 9 line 59; Column 13 lines 11 – 63 and Column 22 line 27 – Column 23 line 24).

Claim 44 is rejected as applied above in rejecting claim 43. Furthermore, Kocher teaches and describes a system for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising:

an encoder for encoding said digital media file (Column 5 line 55 – Column 6 line 3); and

a compressor for compressing said digital media file (Column 8 line 66 – Column 9 line 59).

Claim 47 is rejected as applied above in rejecting claim 43. Furthermore, Kocher teaches and describes a system for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said encrypter performs a first encryption operation on said digital media file based upon a first of said at least one encryption key and a second encryption operation of said digital media file based upon a second of said at least one encryption key (Column 8 line 66 – Column 9 line 59; Column 13 lines 11 – 63 and Column 22 line 27 – Column 23 line 24).



Claim 4 is rejected as applied above in rejecting claim 2. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), wherein said player unit decrypts a selected one of said digital media files according to an electronic value (Fig. 1 Column 4 lines 35 – 63 and Column 21 – line 1 – Column 22 line 5).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 5, 6, 8, 17, 18, 20, 24 – 27, 31, 33, 39, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kocher et al (Patent Number 6,289,455) in view of Dwek (Patent Number 6,248,946).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose the player unit is a portable player unit or a desktop player unit (Column 21 line 3 – Column 22 line 10). However, Dwek discloses a system and

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method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), wherein said player unit is a portable player unit or a desktop (Fig. 5 and Column 14 line 31 – Column 15 line 51). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the player unit as a portable player unit or a desktop player unit. The modifications would be obvious because one of the ordinary skill in the art would want to provide the multimedia applications which are extensively used by workers to listen to music or watching video programs via their computers, either in a standalone mode or, often, while performing other functions with the computer as taught by Dwek and at the same time protecting the digital content, thus preventing piracy and from unauthorized users as taught by Kocher.

Claim 6 is rejected as applied above in rejecting claim 1. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose the player unit further comprises browsing means for browsing digital media files on said network (Column 9 lines 8 – 16). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), said player unit further comprises browsing means for browsing digital media files on said network (Column 8 lines 11 – 33). Therefore it would have been obvious to one of ordinary skill

in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the listener select any audio or video content by browsing thus providing a total flexibility to select any digital content to be played in any order as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 8 is rejected as applied above in rejecting claim 7. Furthermore, Kocher teaches and describes a system for facilitating the usage of digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose, the said selecting means is selected from the group consisting of a remote control unit, a voice command unit, a keypad and a television interface controller (Column 19 lines 21 – 30 and Column 21 line 3 – Column 22 line 10). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), wherein the said selecting means is selected from the group consisting of a remote control unit, a voice command unit, a keypad and a television interface controller (Column 7 lines 5 – 50). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the selecting done by a remote control unit, a voice command unit or a keypad to provide easy access to selecting digital content. The

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modifications would be obvious because one of the ordinary skill in the art would want to provide a method of selecting the desired digital content as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users as taught by Kocher.

Claim 17 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose, navigation means for navigating through said digital media files on said storage unit; and user-manipulated control devices for controlling said navigation means by a user (Column 9 lines 8 – 16). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising navigation means for navigating through said digital media files on said storage unit; and user-manipulated control devices for controlling said navigation means by a user (Column 8 lines 11 – 33). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the listener select any audio or video content by navigation means thus providing a total flexibility to select any digital content to be played in any order as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content

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through a navigation means as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 18 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose a video output port for outputting a video signal representative of a navigation operation of said player unit (Column 9 lines 8 – 16 and lines 42 - 59). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising a video output port for outputting a video signal representative of a navigation operation of said player unit (Column 8 lines 11 – 33). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the listener select any video content by navigation means thus providing a total flexibility to select any digital content to be played in any order as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content through a navigation means as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 20 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose the player unit is a portable player unit or a desktop player unit (Column 21 line 3 – Column 22 line 10). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), wherein said player unit is a portable player unit or a desktop (Fig. 5 and Column 14 line 31 – Column 15 line 51). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the player unit as a portable player unit or a desktop player unit. The modifications would be obvious because one of the ordinary skill in the art would want to provide the multimedia applications which are extensively used by workers to listen to music or watching video programs via their computers, either in a standalone mode or, often, while performing other functions with the computer as taught by Dwek and at the same time protecting the digital content, thus preventing piracy and from unauthorized users as taught by Kocher.

Claim 24 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose the player unit is a portable player unit or a desktop player

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unit (Column 21 line 3 – Column 22 line 10). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), wherein said player unit is a portable player unit or a desktop (Fig. 5 and Column 14 line 31 – Column 15 line 51). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the player unit as a portable player unit or a desktop player unit. The modifications would be obvious because one of the ordinary skill in the art would want to provide the multimedia applications which are extensively used by workers to listen to music or watching video programs via their computers, either in a standalone mode or, often, while performing other functions with the computer as taught by Dwek and at the same time protecting the digital content, thus preventing piracy and from unauthorized users as taught by Kocher.

Claim 27 is rejected as applied above in rejecting claim 16. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly discloses a touch screen for visually displaying information relating to the operation of said player unit and selecting functions performed by said player unit (Column 9 lines 42 – 59). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising a touch screen for visually displaying

information relating to the operation of said player unit and selecting functions performed by said player unit (Fig. 3A and Column 5 line 35 – Column 6 line 8).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the listener select any video content to be displayed via a touch screen thus providing a total flexibility to select any digital content to be played in any order as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content through the touch screen means as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 31 is rejected as applied above in rejecting claim 28. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose searching the encrypted digital media files (Column 22 lines 27 – 55). ). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising searching digital media files (Column 6 lines 16 – 52 and Column 8 lines 11 – 33). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the listener search any digital content by browsing thus providing a total flexibility to search any digital



content to be played in any order as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 39 is rejected as applied above in rejecting claim 37. Furthermore, Kocher teaches and describes a method for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose storing said encrypted digital media files in a staging server, said digital media files awaiting a connection by said user to be transmitted. However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising, storing said encrypted digital media files in a staging server, said digital media files await a connection by said user to be transmitted (Column 4 lines 53 – 67). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the user download any digital content thus providing a total flexibility to select any digital content to be played at any time as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 45 is rejected as applied above in rejecting claim 43. Furthermore, Kocher teaches and describes a system for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose storing said encrypted digital media files in a staging server, said digital media files await a connection by said user to be transmitted. However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising, storing said encrypted digital media files in a staging server, said digital media files await a connection by said user to be transmitted (Column 4 lines 53 – 67). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the user download any digital content thus providing a total flexibility to select any digital content to be played at any time as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 46 is rejected as applied above in rejecting claim 43. Furthermore, Kocher teaches and describes a system for providing digital media files (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose a digital media file library containing a plurality of said digital media files. However, Dwek discloses a system and method for delivering multimedia content

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to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), further comprising, a digital media file library containing a plurality of said digital media files (Column 4 line 53 – Column 6 line 62). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the digital content in a library thus providing the user a total flexibility to select any digital content to be played at any time as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content by storing them in a library as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

Claim 25 is rejected as applied above in rejecting claim 24. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further comprising a transmitter for transmitting said analog versions of said selected digital media files over a wireless channel (Column 9 line 60 – Column 10 line 2 and Column 31 lines 25 – 64).

Claim 26 is rejected as applied above in rejecting claim 24. Furthermore, Kocher teaches and describes a player unit for facilitating digital media files playback (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4), further

comprising an interface for interfacing with a docking station for downloading said digital media files (Column 9 line 60 – Column 10 line 2 and Column 31 lines 25 – 64).

Claim 33 is rejected as applied above in rejecting claim 32. Furthermore, Kocher teaches and describes a method for controlling the playback digital media files on a player unit (Fig. 2, 5, 9; Column 5 line 55 – Column 10 line 25 and Column 22 – Column 25 line 4). Kocher does not explicitly disclose browsing digital media files on a network; and choosing the digital media files to be downloaded from said network (Column 9 lines 8 – 16). However, Dwek discloses a system and method for delivering multimedia content to computers over a computer network (Fig. 1 – 3 and Column 4 line 17 – Column 9 line 57), said player unit further comprises browsing means for browsing digital media files on said network (Column 8 lines 11 – 33). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Kocher into the method of Dwek to have the listener select any audio or video content by browsing thus providing a total flexibility to select any digital content to be played in any order as desired by the listener. The modifications would be obvious because one of the ordinary skill in the art would want to provide flexibility in playing the digital content as taught by Dwek and protect the digital content, thus preventing piracy and from unauthorized users.

***Conclusion***

**10. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-232-3795. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

April 25, 2005.

  
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